

Appln. No. 09/857,383
Amendment dated February 14, 2005
Reply to Office Action of October 20, 2004
and the Advisory Action dated February 2, 2005

REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested.

The October 20, 2004 Final Office Action and the February 2, 2005 Advisory Action have been carefully considered. In response, a Request For Continued Examination is submitted, the claims are amended, and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

AMENDMENT FILED JANUARY 12, 2005

Entry of the claim amendments and consideration of the remarks set forth in the January 12, 2005 Amendment are respectfully requested.

CLAIM AMENDMENTS

Claim 4 is amended in this paper to change its dependency from "2" to --3-- to more clearly provide proper antecedent basis for each limitation recited in claim 4.

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COMMENTS ON ADVISORY ACTION

In the Advisory Action the Examiner indicates that Applicant's proposed amendment to claim 4 does not overcome the 35 USC 112 rejection because there is insufficient antecedent basis for the limitation ("said remote merchant agent") in line 3. As indicated above, the dependency of claim 4 is changed from "2" to --3--.

Also in the Advisory Action the Examiner states:

Applicant argues that Paltenghe et al. do not teach the payment process being carried out by the transaction management means in the user device, but instead teach the transaction being performed by a device remote from the user. However, the Examiner disagrees. Applicant's claim 1 recites "said customer stations comprising transaction management means, fit for performing said server electronic transaction protocol... the payment process being performed between said transaction management means and the merchant server." Paltenghe et al. disclose a transaction management means, which is the local function that resides locally with the owner and a virtual wallet that may interact with outside world through the local wallet (see paragraph [0045]). Also, "the local aspect of the virtual wallet may comprise stored value purses, important personal and authentication information, and account information enabling the local aspect of the virtual wallet to emulate any of the functionality contained within the entire wallet" (see paragraph [0046]), which implies that the local wallet can perform the same functions as the wallet server such as the payment process.

Applicant also argues that Paltenghe et al. do not disclose the remote customer agent represent the customer station in the negotiation process including the selection of products to be presented by the merchant server. Notice, Paltenghe et al. teach a wallet server (which resides remotely) that acts as a broker/intermediary for the customer in selecting products.

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In response, Applicant respectfully states that although there is a general mention in paragraph [0046] of Paltenghe et al. that "...enabling the local aspect of the wallet to emulate any of the functionality contained with the entire wallet," the reference as a whole clearly teaches using the local aspect only for actions preceding the actual payment process. The Examiner's attention is respectfully directed to Figure 5 of Paltenghe et al. There is no specific disclosure in Paltenghe et al. regarding transaction means in a customer station, inter alia, capable of managing certificates of a secure electronic transactions protocol, or the usage of the transaction means such that the payment process is performed between the transaction management means and a merchant server, as specifically recited in claim 1. The wallet server of Paltenghe et al. is the remote portion of the virtual wallet and is specifically used for arranging a payment transition, for instance a SET based transaction between the wallet server and the merchant server (see, e.g., Figure 5 of Paltenghe et al.). There is no disclosure, teaching or suggestion in Paltenghe et al. to use this wallet server to represent a user in a negotiation process, including selecting products to be presented by the merchant server. The wallet server of Paltenghe et al. is merely used for arranging the payment after an authorization from the wallet

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owner, or for storing payment related items, such as tickets (see Figure 9 of Paltenghe et al.). Moreover, the wallet server and Paltenghe et al. in general do not disclose the usage of agent based technology, wherein a remote customer agent is managed by agent parameters from a customer station, and represents the customer station under control of these received parameters.

Even further, the "Institutional Server" of Paltenghe et al. does not correspond to the Trusted Third Party as recited in the present claimed invention since the institutional server acts merely as a backup device for data, e.g., certificates, contained in the personal data storage device, not as a manager of digital certificates exchanged in a secure electronic transaction protocol. Thus, Paltenghe et al. also fail to disclose, teach or suggest this limitation of the present claimed invention.

In view of the foregoing and the amendments and remarks set forth in the January 12, 2005 Amendment, claims 1-11 are in form for immediate allowance, which action is earnestly solicited.

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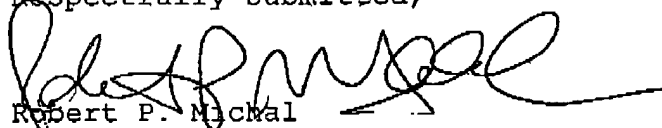
Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

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If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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Encl. Petition for Extension of Time